

MINUTES

Tuesday, March 20, 2007

Mrs. Patricia Romeo, Chairperson, called the Tuesday, March 20, 2007 meeting of the Community Planning Commission to order at 7:33p.m. in Room 10 of the North Reading Town Hall, 235 North Street, North Reading, MA.

MEMBERS

PRESENT: Patricia Romeo, Chairperson
Shep Spear, Vice Chairperson
Christopher B. Hayden, Clerk
Warren Pearce
Neal Rooney

STAFF

PRESENT: Heidi Griffin, Planning Administrator
Susan Murphy, Assistant Planning Administrator
Debra Savarese, Administrative Assistant

Minutes

Mr. Hayden moved, seconded by Mr. Pearce and voted 4-0: (Mr. Rooney & Mr. Spear absent)

that the Community Planning Commission vote to accept the minutes of March 6, 2007 as written.

Mr. Spear & Mr. Rooney arrived 7:35PM.

271 Main Street – Site Plan Review – Decision

Attorney Eugene Grant stated that in regard to the Performance Guarantee, Federal Realty has hired the engineering firm of Vanasse, Hangen, Brustlin. John Stephenson of VHB met with the town engineer at the plaza.

Paul Connolly, Director of Asset Management for Federal Realty stated that the catch basin the town engineer would like to have corrected is located at the front entrance of the plaza. This catch basin is owned by the state. There is another catch basin located on the plaza property. Federal Realty is proposing to have the catch basin on their property tied into the state catch basin, if the state will allow. They do not feel that the flooding of the golf course (Hillview Country Club) is caused by their property.

John Stephenson of Vanasse, Hangen, Brustlin stated that the pond in question is interconnected to another pond through a small channel. The pond at the plaza is at the same elevation as the pond on the golf course. In significant rainfall events, the water surface elevation of the pond comes up, there is a low point in the fairway of this golf hole, and the standing water comes across the golf course and stays standing for several days. He does not believe that any corrections made on the plaza site will remedy the situation on the golf course.

Mr. Pearce asked if connecting the catch basin to the state would be enough to capture the water, or would there be a reverse flow from the ponding area through the catch basin to the pond.

John Stephenson stated that it could, he did not really study the drainage area. It looks like this is where it all grades down and discharges into the pond. The capacity of the state drainage system may be undersized. There are some potential solutions, one being to bring in fill to fill the depression and carving areas on the side would certainly help.

Attorney Grant stated that Federal Realty is willing to post a \$10,000.00 bond for improvement to the drainage. They will also develop a signage plan and will incorporate this into the signing of new leases.

Mrs. Griffin stated that she would like to speak to the town engineer in regard to a bond amount for the drainage.

Mr. Hayden moved, seconded by Mr. Pearce and voted 5-0:

that the Community Planning Commission vote to APPROVE the plan entitled ; “Site Grading, Plan of Land in North Reading, MA”; dated October 30, 2007, revised 12/15/06, 2/27/07 and 3/6/07; drawn by Dana F. Perkins, Inc. Subject to the terms & conditions of the Certificate of Conditional Approval dated March 21, 2007 with the following amendments:

- a. delete condition 1B
- b. delete conditions 4E1-3

The Certificate of Conditional Approval amended this evening will not be stamped with the Town Clerk until such time as the planning administrator receives the following documents:

1. A bond estimate approved by the town engineer for drainage improvements to be made on the Atlantic Plaza site including a catch basin that overflows at the site entry drive with the traffic light; necessary permitting from Mass. Highway; and related cleaning of the retention ponds on site. And a bond posted by Federal Realty for all these items.
2. A written agreement from Federal Realty guaranteeing a signage program similar to Gaithersburg Square signage criteria referenced in Exhibit C attached. This signage must contain signage specifications that have been approved by the North Reading Community Planning Commission.
3. The applicant must submit via Federal Realty a list of tenants and when their respective leases are renewed. The applicant must submit a copy of the correspondence sent from Federal Realty to the tenants putting them on notice that the owner adopted a signage criteria approved by both Federal Realty and the North Reading Community Planning Commission and that the tenant should plan accordingly to comply with the signage criteria when their leases are due to expire.

Amend Historical Preservation Zoning Bylaw – P.H. 8:10Pm

Mr. Hayden read the public hearing notice into the record.

Mr. Hayden moved, seconded by Mr. Spear and voted 5-0:

that the Community Planning Commission vote to SUPPORT the amendment of the Historical preservation Bylaw at the April 2007 Town Meeting.

Affordable Housing Overlay District – P.H. 8:13PM

Mr. Hayden read the public hearing notice into the record.

Mr. Hayden moved, seconded by Mr. Rooney and voted 5-0:

that the Community Planning Commission vote to RECOMMEND the Affordable Housing Overlay District at the April 2007 Town Meeting.

59-61 Adam Street – Definitive Subdivision – P.H. 8:20PM

Mr. Hayden read the public hearing notice into the record

Peter Ogren of Hayes Engineering presented the plan. The Community Planning Commission suggested that the proposal for Adam Street should be filed as a definitive subdivision. The Community Planning Commission would not waive the following:

1. Street width: The minimum that the board would consider would be 21'.
2. Underground utilities: Requested

Both of these items are now shown on the plan to be constructed. Waivers that would have been associated with the roadway plan are: 30' R.O.W. width, 21' pavement width, plan requirements: 5' contours, regulations require 2' contours. A run-off mitigation plan was filed, which is basically a drainage analysis that would analyze the watersheds and would determine what it would be. A waiver for the mitigation of the two year storm was requested. Low Impact Design houses are to be constructed and short driveways are not applicable. This are does not have the characteristic.

Mr. Spear stated that he is pleased to see low impact development. His only concern would be moving forward with the Low Impact Development for the lots. He would like to have the Assistant Planning Administrator and Town Engineer review the lots.

Mr. Pearce stated that the covenant should contain the maintenance and a homeowners association.

Atty. Senior stated that these items could be placed in the Restrictive Covenant.

Mr. Rooney asked how this would be enforced.

Mrs. Murphy stated that they would need to file with the Conservation Commission. She is not sure how the enforcement would work under the Restrictive Covenant.

Maureen Doherty asked what the developer would gain from doing Low Impact Development.

Mr. Pearce stated that the developer would requests a lot of waivers to build the Low Impact Development.

Trisha Colella of 186 Haverhill Street asked if there was access from any of the lots to any other privately owned property that abuts, including the 10 acres being retained.

Atty. Senior stated that the roadway does not provide any access to other properties.

Dana Rowe stated that there is no access from his property do to wetlands.

Atty. Jay Kimball stated that he is representing Dave Rodham who owns seven acres and would like to divide the property into two pork chop lots. He would like to request that access be given so as not to landlock the property by continuing the roadway.

Atty. Senior stated that he would check the access.

Mr. Hayden referenced the Asst. Planning Administrator's (3/13/07), Water Department's (2/14/07), School Department's (2/13/07), Conservations Commission's (2/27/07), Fire Department's (2/22/07)

Mrs. Romeo requested that the name of the road be changed to Dogwood Lane or Dogwood Circle for historical purposes.

Mr. Hayden moved, seconded by Mr. Pearce and voted 5-0:

that the Community Planning Commission vote to continue the public hearing for 59-61 Adam Street, Definitive Subdivision until April 17, 2007 @ 8:00PM.

59-61 Adam Street – Determination of Access – cont. P.H. 9:05PM

Mr. Hayden moved, seconded by Mr. Pearce and voted 5-0:

that the Community Planning Commission vote to GRANT the requested extension of time in which to render a decision on the 59-61 Adam Street – Determination of Access Plan until April 20, 2007 and to continue the public hearing to April 17, 2007 @ 8:00PM

High Street Ext. – Definitive Subdivision – cont. P.H. 9:11PM

Mr. Pearce recused himself from the public hearing.

James Kavanaugh of Premier Development stated that he is submitting a new plan. The proposal depicts a single lot subdivision, with the improvement of High Street, 21' bituminous pavement down to the end, showing an 80' diameter circle and a 14' driveway with an emergency turn-around. A drainage swale will be constructed on one side of High Street and both sides of Locust Street.

Mr. Hayden asked if a fire truck could do a turn around without going on the dirt.

James Kavanaugh stated that he would check.

Mr. Hayden moved, seconded by Mr. Spear and voted 4-0: (Mr. Pearce recused)

that the Community Planning Commission vote to continue the public hearing for High Street Ext. Definitive Subdivision until Tuesday, April 17, 2007 @ 8:30PM

1 Leland Road – Determination of Access – cont. P.H. 9:29PM

Tom Neve of North Shore North Reading Holdings Nominee Trust stated that the Conservation Commission is pleased with the Low Impact Development and the drainage calculations have been accepted. The changes requested by the Community Planning Commission have been made to the plan. They are purchasing a non-buildable lot on the opposite side of the subdivision where the drainage line will be placed. The lot size range in size: Lot 1, 40,000 sq. ft., Lot 2, 3.88 acres and Lot 3, 4.08 acres. The R.O.W. has been extended enough to provide adequate frontage to the second lot and the turn-around easement is now T-turn-around hammerhead turn-around. An access easement is provided to the restricted conservation area.

Attorney Senior stated that it may not be merged into the subdivision because it is not actually part of the subdivision that was submitted. A restriction will put on the property stating that it will never be a buildable lot.

Mr. Pearce asked if the catch basin will discharge into the wetlands.

John Morin of North Shore North Reading Holdings Nominee stated that it will flow into a storm septic unit and then will discharge. A maintenance plan was submitted with the application and the stormwater management application will be submitted.

Mr. Pearce stated that the corner is tight on Junction Road. Is there a way to improve?

John Morin stated that he would check and would respond back to the board.

Mr. Spear stated that he is concerned with the amount of trees that may come down.

Tom Neve stated that the Community Planning Commission could add condition in regard to the trees.

Mrs. Romeo closed the public hearing.

Demetri Lane – Bond Reduction

Mr. Hayden moved, seconded by Mr. Spear and voted 5-0:

that the Community Planning commission vote to release \$52,082.14 for the Demetri Lane Subdivision and retain a balance of \$10, 649.00.

170 Park Street – Endorse Plans

Mr. Hayden moved, seconded by Mr. Rooney and voted 5-0:

That the Community Planning Commission vote to endorse the plans entitled “Plan of Land, Reading Co-Operative Bank, 170 Park Street, North Reading, MA 01864”; dated 2/14/07; prepared by JM Associates, 325 Main Street, North Reading, MA 01864.

Zoning Board of Appeals

37 Valley Road – On the petition of Kevin Patterson, for a home occupation special permit for investigative and security consulting services.

The Community Planning Commission supports the application subject to the following conditions:

- Neighbors do not object;
- No additional vehicles;
- No person other than residential occupant shall be employed therein;
- Not more than 300 square feet devoted to such use;
- No display of goods, ware or signs related to the home occupation visible from the exterior.

279-289 Main Street – On the petition for Wayside Realty Trust by their Attorney Frederick A. Keyes, for a variance and/or special permit for the purpose of an additional building from the setback requirements and a special permit for work within the Aquifer Protection District.

The Community Planning Commission has no objections once the applicant has obtained site plan approval from the Community Planning Commission; the applicant is scheduled for their first public hearing on April 3, 2007.

41 Elm Street – On the petition of Attorney James Senior for Douglas F. and Ann K. Strong for a special permit to expand the non-conforming use from a four family residence to a five family residence.

The Community Planning Commission does not support the application because concerned with precedent being set for extension of pre-existing non-conforming uses; and town should retain their affordable units under previously approved 40B.

7 Surrey Lane – Mrs. Griffin stated that the applicant has revised their application to be “arts and crafts” and had used a manufacturing inadvertently. The Fire Department had also agreed with our original assessment of manufacturing not being allowed, but after visiting the site and speaking with the owner Fire Dept. concurs that now it is not manufacturing and now are revising their original “denial recommendation.

The Community Planning Commission supports the application.

ADJOURNMENT AT 10:50PM

Respectfully submitted,

Christopher B. Hayden, Clerk